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SUBJECT: Contacts with Proposed or Existing Contractors

REFERENCES: (a) Security Regulation No. 10-1
(b) Regulation [REDACTED] Procurement of Supplies
and Services
(c) Regulation [REDACTED] Classified Contract
Security
(d) Regulation [REDACTED] Covert Procurement of
Supplies

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1. A recent unauthorized disclosure of classified information by an Agency contractor reveals the need for additional security safeguards, and stresses the importance of a clear understanding of the security factors involved in precontract discussions and correspondence with potential Agency contractors. This is essential for both classified and unclassified matters and applies even though the subsequent contract or procurement document may be issued on an unclassified basis.

2. It is important that every Agency employee contemplating correspondence or discussion with a potential Agency contractor understand his basic security responsibilities as outlined in the references above and comply therewith.

3. It is essential that the Office of Logistics serve as a focal point of responsibility for enforcing the implementation of the referenced regulations. Accordingly, the following procedure will be complied with by all Agency personnel:

a. Prior to any oral or written contact for precontract purposes with any prospective or existing contractor, the Agency personnel proposing to make such a contact will first confer with designated representatives of the Office of Logistics hereinafter referred to as "Logistics".

b. When the contact is to be made in writing, the proposed communication will first be submitted to Logistics in triplicate. This will be accompanied by a memorandum setting forth the following:

(1) Name and address of proposed or existing contractor.

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(2) Security classification [REDACTED] of the procurement which may result from the contact and detailed basis for such determination.

(3) Description of cover used on any prior contacts either written or oral with the proposed contractor.

(4) Whether other contractors will be contacted in order to obtain competition and, if not, reasons therefor.

c. When the contact for precontract purposes is to be made orally, Logistics must be informed of the name(s) of the individual(s) who will be contacted. If not previously cleared and classified information is to be discussed, DD Form 48 in duplicate must be attached for each person to be contacted.

d. The Requisition, Form No. 88, will also have thereon the following information:

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(2) The specific security classification desired and whether it applies exclusively to the work being performed or to the association of the Agency with the work, or to both. If no classification is desired, the statement must be included "Unclassified".

(3) Even in the case of some "Unclassified" contracts, it may be desirable to restrict the contractor from disseminating any publicity in connection therewith. Therefore, the Requisition, Form 88, will include a statement that an "anti-publicity clause" is or is not desired in the procurement document.

5. After the procurement document is executed, the following procedures will govern contacts between Agency personnel and the contractor:

a. All mail to the contractor will be in the name and address of the Contracting Officer and will be routed through him for review and signature.

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b. The contractor will be directed to address all correspondence to the name and address of the Contracting Officer.

c. Immediately after the execution of the procurement document, when it is anticipated that oral contact with the contractor will be required, the requisitioner will, in conjunction with his security officer, prepare a security operations procedure for submission to Logistics for approval. This procedure will include:

- (1) Names and titles of persons who will be contacted.
- (2) Names and titles of Agency personnel who will make the contacts.
- (3) Cover to be used during personal and telephone contacts.
- (4) Purpose of the contacts.

No contact will be made except within the scope of approval given.

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